IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

Bail Appl..No. 7534 of 2007()

(AGAINST CRIME NO.626/07 OFPUTHENCRUZ POLICE STATION)

PETITIONER:2ND ACCUSED:

M.P. MADHAVAN, S/O. LATE PUTHENKAVI,
AGED 44 YEARS, MANACKAKKUDIYIL HOUSE,PANKODU KARA,
AIKARANADU NORTH VILLAGE, KUNNATHUNADU TALUK,
ERNAKULAM DISTRICT, PANKODU P.O., PIN-682310.

BY ADV. SRI.P.P.JACOB

RESPONDENTS:

1. **T.A. MANJU, D/O. AYYAPPAN,**
   AGED 28 YEARS, THOZHUTHUMPATTU HOUSE,VENKIDA KARA,
   PUTHENCRUZ VILLAGE, KUNNATHUNADU TALUK,
   ERNAKULAM DISTRICT, PATHANANDAPURAM P.O.,
   PIN-682308.

2. **SUB INSPECTOR OF POLICE,**
   PUTHENCRUZ POLICE STATION, ERNAKULAM DISTRICT,
   PUTHENCRUZ P.O.

3. **CIRCLE INSPECTOR OF POLICE,**
   PUTHENCRUZ CIRCLE, ERNAKULAM DISTRICT,
   PUTHENCRUZ P.O.

4. **STATE OF KERALA,**
   REP. BY THE PUBLIC PROSECUTOR.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

R. BASANT, J.

B.A. No. 7534 OF 2007

Dated this the 7th day of December, 2007

O R D E R

Application for anticipatory bail. Petitioner faces allegations under Section 498A IPC. He is the brother of the husband of the de facto complainant. The husband and another brother have already been granted anticipatory bail as per order dated 3.12.07 in B.A.No.7419/07. This order must be read in continuation of the said order and I am not, hence, adverting to the facts in any greater detail in this order.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can be granted anticipatory bail subject to appropriate terms and conditions.

3. In the result, this petition is allowed. Following directions are issued under Section 438 Cr.P.C in favour of the petitioner.

i) Petitioner shall surrender before the learned Magistrate having jurisdiction at 11 a.m on 14/12/2007. He shall be released on regular bail on condition that he executes a bond for Rs.25,000/-(Rupees twenty five thousand only) with two solvent

sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 3 p.m on 15/12/2007 and 17/12/2007 and thereafter on all Mondays and Fridays between 10 a.m and 12 noon for a period of one month and subsequently as and when directed by the investigating officer in writing to do so.

(iii) If the petitioner does not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioner and deal with him in accordance with law, as if these directions were not issued at all.

(iv) If he were arrested prior to 14/12/2007, he shall be released from custody on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) without any sureties, undertaking to appear before the learned Magistrate on 14/12/2007.

(R.BASANT, JUDGE)

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